

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA)	8:07MJ25 (D. Nebr.)
)	05-CR-323N (D. Colo.)
Plaintiff,)	
)	
v.)	
)	
LUIS PENA,)	
)	
Defendant.)	Magistrate Judge Thalken

RULE 5 ORDER

An Indictment having been filed in the district court for the District of Colorado charging the above-named defendant with conspiracy to distribute and possession with intent to distribute marijuana and use of a telephone to facilitate the commission of a conspiracy and the defendant having been arrested in the District of Nebraska, proceedings to commit defendant to another district were held in accordance with Fed.R.Cr.P.5. The defendant had an initial appearance here in accordance with Fed.R.Cr.P.5 and was informed of the provisions of Fed.R.Cr.P.20. Additionally, defendant

- (X) Waived an identity hearing and admitted that he was the person named in the aforementioned charging document.
- (X) The government moved for detention.
- (X) Knowingly and voluntarily waived a detention hearing in this district and reserved the right to a detention hearing in the charging district.

Accordingly, it is ordered that the defendant is held to answer in the charging district.

- (X) Defendant has been unable to obtain release under the Bail Reform Act of 1984, 18 U.S.C. § 3141 et.seq. and the U.S. Marshal is commanded to take custody of the above named defendant and to transport the defendant with a certified copy of this order forthwith to the charging district specified above and there deliver the defendant to the U.S. Marshal for that district or to some other officer authorized to receive the defendant, all proceedings required by Fed.R.Cr.P.5 having been completed.

IT IS SO ORDERED.

DATED in Omaha, Nebraska this 14th day of March, 2007.

s/ Thomas D. Thalken
U.S. Magistrate Judge